

JUDGE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN LEE ASNICAR,

Defendant.

No. CR 15-266-TSZ

~~(PROPOSED)~~ ORDER GRANTING
UNOPPOSED MOTION TO
CONTINUE TRIAL AND PRETRIAL
MOTIONS DEADLINE

Based on the unopposed motion of the defendant to continue the trial date and extend the due date for pretrial motions, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

4. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation of his defense. 18 U.S.C. § 3161(h)(7)(B)(iv).

1 NOW, THEREFORE,

2 IT IS HEREBY ORDERED that the trial date is continued from October 13,
3 2015, to March 14, 2016. The resulting period of delay from October 13, 2015,
4 through March 14, 2016, is hereby excluded for speedy trial purposes under 18 U.S.C. §
5 3161(h)(7)(A) and (B).

6 Pretrial motions are due no later than Jan 8, 2016.

7 DONE this 31 day of Aug, 2015.

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10 THOMAS S. ZILLY
11 UNITED STATES DISTRICT JUDGE
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13 Presented by:

14 s/ Russell V. Leonard
15 Assistant Federal Public Defender
16 Attorney for Brian Lee Asnicar
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